

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MAINE**

BRENDA SMITH,

Plaintiff,

v.

AROOSTOOK COUNTY and SHAWN D.  
GILLEN,

Defendants.

CIVIL NO. 18-cv-00352-NT

**PLAINTIFF'S CONSENT MOTION TO AMEND SCHEDULING ORDER**

Pursuant to Rule 7(b) of the Federal Rules of Civil Procedure and the Court's April 9, 2019 Order, ECF No. 128, Plaintiff, Brenda Smith, files this motion to amend the scheduling order to extend the current June 4, 2019 trial-ready date by two months, and to place the case on the August trial list. Plaintiff further requests a corresponding extension for the deadlines for the pre-trial memo and conference, currently set for April 23 and 30, respectively. Counsel for the Plaintiff has conferred with counsel for Defendants, Aroostook County and Shawn D. Gillen, who consent to a two-month extension.

The Plaintiff requests the two-month extension for two reasons. *First*, the Plaintiff believes that the parties may be able to reach agreement on several issues that could avoid the need for a second trial on the merits. A two-month extension would enable the parties to seek mediation or otherwise negotiate to reach agreement that would save both party and judicial resources. Defendants have indicated that they are willing to discuss the option of mediation with a private mediator. *Second*, the Plaintiff is currently briefing a response to the Defendants' motion to stay the preliminary injunction, filed in the U.S. Court of Appeals for the First Circuit after the Defendants filed their notice of appeal. Plaintiff anticipates that this filing and

additional appellate deadlines will consume resources that would interfere with the ability to immediately proceed to a jury trial on the merits.

**CONCLUSION**

For these reasons, the Plaintiff respectfully requests that the Court amend the scheduling order by continuing the trial date until August 2019 and extending the pre-trial memo and pre-trial conference deadlines.

Dated: April 12, 2019

Respectfully Submitted,

/s/ Emma E. Bond

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**CERTIFICATE OF SERVICE**

The undersigned certifies that she has electronically filed this date the foregoing PLAINTIFF'S CONSENT MOTION TO AMEND SCHEDULING ORDER with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record. This filing is available for viewing and downloading from the ECF system.

Dated: April 12, 2019

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